

204290US2X

#7
Election
D. Smail-Logan
9-5-02

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF:

:

Hayami SUGIYAMA, et al.

: EXAMINER: TRAN, H.

SERIAL NO: 09/800,504

:

FILED: MARCH 8, 2001

: GROUP ART UNIT: 2861

FOR: THERMAL HEAD AND
CONTROLLER FOR....

:

RESTRICTION RESPONSE

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

In response to the Office Action dated August 5, 2002, Applicants elect Group I (claims 1-9), drawn to a thermal head, classified in class 347, subclass 200 **with traverse** for prosecution in the present application.

Applicants traverse the outstanding Restriction Requirement as the outstanding Restriction Requirement has not established that an undue burden would be required if the Restriction Requirement was not issued and if all the claims were examined together. More particularly, MPEP §803 states:

If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.

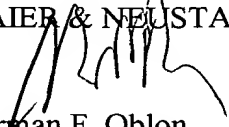
In the present application any search of the elected method claims would also include the classes and subclasses appropriate for searching the product and apparatus claims, and so then

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would be no undue burden if all of the claims were examined together.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
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